

Before the
Federal Communications Commission
Washington, D.C. 20554

)

In the Matter of) MM Docket No. 99-25

)

Creation of a Low) RM-9208

Power Radio Service) RM-9242

)

)

TO: The Federal Communications Commission

A JOINT STATEMENT FILED ON BEHALF OF THE ORGANIZATIONS AND INDIVIDUALS
LISTED BELOW.

IDENTIFICATION OF PARTIES

My name is Ted M. Coopman and I am a resident of Santa Cruz, CA. I have a Master of Science in Mass Communications from San Jose State University (1995) and have been researching Micro Radio since 1993. I have presented numerous papers on this subject at professional conventions held by the National Communication Association, the American Communication Association, the Western Communication Association, and the Southern States Communication Association. I also have a manuscript on the subject accepted for publication in the Journal of Broadcasting and Electronic Media (Fall 1999 edition) and operate a website (www.roguecom.com/rogueradio) where I house my research on broadcasting. I am also the co-founder of Rogue Communications, a multi-service consulting and research company. In these capacities, I have become concerned with the state of radio broadcasting in the United States and the loss of diversity and localism in both commercial and non-commercial radio. I have drafted this Joint Statement on Micro Radio to present the most basic issues and needs expressed by a large and diverse cross-section of the Micro Radio Movement.

We, the undersigned organizations and individuals, representative of a wide spectrum of micro radio advocates, strongly believe that the items contained in this Joint Agreement are essential to the success of any Low Power Radio Service. Individual signatories may hold differing views concerning many aspects of the proposed rulemaking and will file individual comments as well as signing this agreement. The absence of items or issues in this agreement is not meant to imply or indicate any specific stance by any of the signatories. This agreement simply states aspects of the proposed rulemaking that are of such importance that they cut across all ideological lines and are accepted as essential to the fair and proper creation of a Low Power Radio Service.

TABLE OF CONTENTS

PAGE 1 : IDENTIFICATION OF PARTIES

PAGE 2: IDENTIFICATION OF PARTIES CONTINUED

TABLE OF CONTENTS

PAGE 3: TABLE OF CONTENTS CONTINUED.

1. LP-1000, LP-100, & LP-10 STATIONS

A. SECONDARY STATUS FOR LP-1000, LP-100 AND LP-10 STATIONS

B. LP-1000 STATIONS

C. LP-100 STATIONS

PAGE 4 D. LP-10 STATIONS

2. GRANDFATHERED CLASS D STATIONS

3. OWNERSHIP

A. ONE TO A CUSTOMER

B. NO FULL POWER CROSS OWNERSHIP

C. NO MEDIA CROSS OWNERSHIP

PAGE 5: D. NO GROUP MEDIA OWNERSHIP

E. LOCAL OWNERSHIP

4. FINANCING, FEES, & CONSTRUCTION PERMITS

A. FINANCIAL REQUIREMENTS

B. LICENSING FEES

C. NON-COMMERCIAL FEE EXEMPTION

D. USE IT OR LOSE IT:

E. LOSS OF PERMITS

PAGE 6: F. EXTENSIONS

G. TRANSFER OR SALE OF PERMITS

5. BROADCASTING

A. MICRO RADIO IS NOT A "RE-BROADCASTING SERVICE

B. "TALKING BILLBOARDS"

C. DIGITAL RADIO/ SPECTRUM ENLARGEMENT

PAGE 7: D. FREQUENCY AVAILABILITY AND RESTRICTIONS

F. LOCAL ORIGIN

6. DISTRIBUTION OF LICENSES

7. TIME-SHARING

8. REGULATORY STRUCTURE

A. SELF-REGULATION

PAGE 8: B. CONFLICT RESOLUTION

: CONCLUSION

SIGNATORIES

PAGE 9-11 SIGNATORIES

1. LP-1000, LP-100, & LP-10 STATIONS

A. SECONDARY STATUS FOR LP-1000, LP-100 AND LP-10 STATIONS.

Secondary status for LP-1000, LP-100 or LP-10 Stations is unacceptable.

B. LP-1000 STATIONS

The general licensing of LP-1000 stations poses a threat to the availability of spectrum in densely populated areas. We feel that it would better serve the public interest to have several LP-100 and LP-10 stations than a single LP-1000. LP-1000 stations should be restricted to rural areas.

C. LP-100 STATIONS

It is essential that LP-100 stations be granted Primary Service Status in order to have a viable Low Power Radio Service.

D. LP-10 STATIONS

The LP-10 stations should be granted Primary Service Status. In order to include the widest variety of access these operations must be allowed and protected.

2. GRANDFATHERED CLASS D STATIONS

The remaining Class D FM stations should be converted over to Low Power licenses or otherwise protected at no cost to these operations. Their continued existence is a great service to their communities.

3. OWNERSHIP

There must be strict rules governing the number of Low Power Radio Service stations an individual or organization can own. Without ownership restrictions, a Low Power Radio Service will be unworkable and meaningless. Therefore, we feel the following restrictions are in the best interest of American public:

A. ONE TO A CUSTOMER

One Low Power station per individual or organization . No exceptions. The owning of multiple stations does not serve the stated goals of a Low Power Radio Service. The proposal of a 5 station maximum would, in fact, deny access to the spectrum by 4 groups or individuals who deserve to have a voice. Multiple ownership does not increase access or diversity.

We respectfully remind the Commission that over 13, 000 individuals and groups requested information on Low Power Radio in 1998. Allowing multiple ownership would make it

difficult to accommodate these requests as well as the others that are certain to follow a rulemaking change on Low Power Radio.

B. NO FULL POWER CROSS OWNERSHIP

Existing license holders of Full Power Radio Stations should be ineligible.

C. NO MEDIA CROSS OWNERSHIP

Owners of television stations, cable television operations or their parent companies should be ineligible.

D. NO GROUP MEDIA OWNERSHIP

Owners of newspapers, periodicals or other print or Internet media, if part of an organization that holds multiple media outlets of this type, should be ineligible.

E. LOCAL OWNERSHIP

In order to preserve localism and assure responsiveness to the community, owners should live within the reception contour of the Low Power Station.

4. FINANCING, FEES, & CONSTRUCTION PERMITS

A. FINANCIAL REQUIREMENTS

Financial requirements for obtaining a Low Power Radio license should be kept to a minimum or eliminated.

B. LICENSING FEES

Any fees imposed by the FCC should be minimal or eliminated to allow for maximum public access.

C. NON-COMMERCIAL FEE EXEMPTION

As with non-commercial Full Power Stations, non-commercial Low Power Stations should be exempt from any fees.

D. USE IT OR LOSE IT:

Stations should be required to unitize their construction and broadcasting permits within a reasonable amount of time after their issuance. If these deadlines are not met, these permits should lapse and go back into the pool.

E. LOSS OF PERMITS

Those who lose a Construction Permit (CP) or broadcasting license should have to wait a year before applying again.

F. EXTENSIONS

Low Power Stations should be granted a maximum of one extension for Construction Permit (CP) or broadcasting licenses.

G. TRANSFER OR SALE OF PERMITS

If allowed, the transfer or sale of a Construction Permit (CP) should be highly restricted.

5. BROADCASTING

A. MICRO RADIO IS NOT A "RE-BROADCASTING SERVICE"

Excessive reliance on the re-broadcasting of content from full power stations or syndicated sources would turn these stations into de facto translators. As translator licenses are predicated on their use for the relaying of content from a separate broadcast facility, Low Power licenses should be bared from being solely used for this purpose. Local origination of programming is one of the stated goals of establishing a Low Power Radio Service.

B. "TALKING BILLBOARDS"

We oppose the use of Low Power licenses as "talking billboards" and encourage the Commission to restrict this use to power levels consistent with Part 15 regulations.

C. DIGITAL RADIO/ SPECTRUM ENLARGEMENT

Any addition of spectrum and/or plans involving Digital Radio must include provisions for micro radio access.

D. FREQUENCY AVAILABILITY AND RESTRICTIONS

Second and third adjacent restrictions should be eased for micro radio only, not for incumbent broadcasters. We commend the FCC for its recommendation to this effect.

E. FREQUENCY RESTRICTIONS

There should be no restrictions as to the frequency location for micro radio stations. Micro radio stations should have the ability to use any open spectrum, regardless of its location on the FM band.

F. LOCAL ORIGIN

In order for a Low Power Radio Service to be effective, the Commission must take steps to ensure that a majority of Low Power programming be of local origin.

6. DISTRIBUTION OF LICENSES

We oppose any sort of financially-based auction system for micro radio. Licenses should be awarded based on a non-monetary weighted system to be determined by the FCC.

7. TIME-SHARING

Time-sharing between groups or individuals should be an option in a situation involving limited frequency space and competing applications. In the event that two or more competing stations voluntarily agree to time-share, this cooperation should be a factor in the licensing process.

8. REGULATORY STRUCTURE

A. SELF-REGULATION

We support the concept of one or more VOLUNTARY non-profit organizations that would serve as a source of communication and mediation between micro radio stations. Micro radio stations would have the right to go directly to the FCC. However, it is hoped that self-regulation would be the primary form of maintaining order where specific stations VOLUNTARILY agree to be bound by such self-regulation.

B. CONFLICT RESOLUTION

Local resolution of competing license applications and conflicts between Low Power Stations should be highly encouraged.

CONCLUSION

Therefore, we the undersigned urge the Commission to support the proposed rulemaking on a Low Power Radio Service including the issues and specification contained in this document.

WE AGREE TO AND SUPPORT THIS JOINT STATEMENT ON MICRO RADIO

ORGANIZATIONS

Rogue Communication, Santa Cruz, CA

Amherst Alliance, Waterbury, CT

REC Networks, North Tempe, AZ

Michigan Music is World Class! Campaign, Ferndale, MI

Citizens' Media Corps, Allston, MA

Radio Free Allston, Allston, MA

WKJCE Radio, Vowinkle, PA

Radio Free Brattleboro, Brattleboro, VT

Americans for Radio Diversity (ARD), Minneapolis, MN

Committee on Democratic Communications (CDC), National Lawyers Guild, San Francisco, CA

Association of Micro-Power Broadcasters (AMPB), Berkeley, CA

Free Living Radio, Howell, MI

Active Components Electronics, Howell, MI

The Plastic Box Studio, Howell, MI

Storm Records, Hamtramck, MI

Prometheus Radio Project, Philadelphia, PA

GEEK Force, Portland, OR

The A-Infos Radio Project, Waterloo, NY

Free Radio Prison City, Jackson, MI

ORGANIZATIONS CONTINUED

Davis-Honner Management, Canton, MI

Shundahai Network, Las Vegas, NV

Denver Radio Coalition, Denver, CO

Jump Marketing & Design, Milton, MA

Gray Matters Magazine, Denver, CO

Colorado Music Association, A Colorado NonProfit Corporation, Denver, CO

Denver Low-Power Radio Coalition (DLRC) - Denver, CO

INDIVIDUALS

Ted M. Coopman, Santa Cruz, CA

Don Schellhardt, Waterbury, CT

Charles Coplien, Vowinkle, PA

John Benjamin, Vowinkle, PA

Tom Ness, Ferndale, MI

Sue Ness, Ferndale, MI

Steve Provizer, Allston, MA

Kevin Coan, Sagamore Hills/Cleveland, OH

Glenn Austin, Minneapolis, MN

Art Persyko, Palo Alto, CA
Paul Griffin, Berkeley, CA
Richard K. Harrison, Winter Park, FL
Maryjane Stelmach Honner, Canton, MI
Richard D. Demorest, Canton, MI
Jim Merrill, Detroit, MI
Fred Merrill, Detroit, MI
Dan Snitgen, Detroit, MI
Dave Lloyd, Detroit, MI
Pete Tridish, Philadelphia, PA
Ron Gutzeit, Howell MI

INDIVIDUALS CONTINUED

Norm Andresen, Hamtramck, MI
Mick Hurley
Leslie Swanson, Durango, CO
L.F. "Roy" Schellhardt, Waterbury, CT
Kent Peterson, Community Radio Coalition, Minneapolis, MN
Urbain Bernier, Taylor, MI
Kevin Lange, Indianapolis, IN
Arnold Diaz, NE
Teri Davis, Madison Heights, MI
Pamela H. Browne, Traverse City, MI
Jerry Szoka, Cleveland, OH
Shawn Ewald, Waterloo, NY
Lyn Gerry, Waterloo, NY
Aaron Childs, Jackson, MI
Chris S. Inos, Saipan, MP
Martin Grove, Parma, MI
Steven L. White, Raleigh, NC

Wesle AnneMarie Dymoke, Providence, RI

Jeremy Modlin, Kalamazoo, MI

Mr. Joseph D'Alessandro, Lewes, DE

Jay Cashman, Reeds Spring, MO

Anison Roberts, Oak Park, MI

Robert duRivage, Detroit, MI

Katrina Olson, Denver CO

John Welby, Milton, MA

Noel Cruz, San Francisco, CA

Brooke Mouland, Denver, CO

Ron Elsis, Longmont, CO

Sabrina Henderson, Denver, CO

INDIVIDUALS CONTINUED

Dolly Zander, Denver, CO

Robert Rutherford, Denver, CO

Luke DeMay, Jackson, MI

Mark Bliesener, Denver CO

Paul Epstein, Denver, CO

Mary Robertson, Gothic Theatre, Denver, CO

Steven R Conn, Nashville, TN

Rob Bell, Denver, CO

Beth Hanlon, Aurora, CO

Gina Penka, Denver, CO

Sandra Hollander, Sun City West, AZ

Thelma Swartzberg, Sun City West, AZ

Robert Swartzberg, Sun City West, AZ

Damien McCarron, Golden, CO

Kate Goldsworthy, Denver, CO

Jonathan Hopkins, Denver, CO

DATE: _____\

Ted M. Coopman

2501 Friesland Court

Santa Cruz, CA 95062

rogue@roguecom.com